

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Anthony Johnson

v.

Civil No. 15-cv-003-JL

E. L. Tatum, Warden, Federal
Correctional Institution, Berlin,
New Hampshire

REPORT AND RECOMMENDATION

Before the court is respondent's motion to dismiss (doc. no. 11) this action as moot, on the basis that the relief petitioner sought in his original petition, transfer from the Federal Correctional Institution, Berlin, New Hampshire ("FCI-Berlin") to a Residential Reentry Center, occurred on July 14, 2015. On October 6, 2015, the court issued an Order (doc. no. 12) directing Johnson to show cause why this case should not be dismissed as moot. That Order was originally mailed to petitioner at FCI-Berlin, but was returned. The Order was resent to a Residential Reentry facility in Nashville, Tennessee, on October 28, 2015, but was returned to the court on November 30, 2015. Johnson has failed to keep the court apprised of his changes of address, in violation of LR 83.6(e).

As it appears that Johnson did receive the relief requested, and because petitioner has failed to show cause why

this matter should not be dismissed, the district judge should grant the motion to dismiss (doc. no. 11), and direct that the case be closed. Any objections to this Report and Recommendation must be filed within fourteen days of service of this notice. See Fed. R. Civ. P. 72(b)(2). Failure to file objections within the specified time waives the right to appeal the district court's order. See Garayalde-Rijos v. Mun. of Carolina, 747 F.3d 15, 21-22 (1st Cir. 2014).

A handwritten signature in black ink, reading "Andrea K. Johnstone", written over a horizontal line.

Andrea K. Johnstone
United States Magistrate Judge

December 4, 2015

cc: Anthony Johnson, pro se
Seth Aframe, Esq.